

**AMENDED
TEMPORARY**

No. 74609-T

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF
NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office AUG 09 2006

Returned to applicant for correction _____

Corrected application filed AUG 15 2006

Map filed AUG 25 2006

The applicant **Rick L. Hale** hereby makes application for permission to change the **Point of Diversion and Place of Use** of water heretofore appropriated under **Permit No. 66948**

1. The source of water is **Underground**
2. The amount of water to be changed **2.7 CFS-NTE 640 AFA**
3. The water to be used for **Irrigation and Domestic**
4. The water heretofore permitted for **Irrigation and Domestic**
5. The water is to be diverted at the following point **SE¼ NE¼ Section 14, T1N, R46E MDM, or at a point from which the Southeast corner of said Section 14 bears S 04°16'08" E a distance of 2,700.0 feet. Refer to supporting map filed with this application.**
6. The existing permitted point of diversion is located within **SW¼ NW¼ Section 14, T1N, R46E, MDM, or at a point from which the west quarter corner of said Section 14 bears S 45° 45' 50" W a distance of 427.94 feet.**
7. Proposed place of use **NE¼ of Section 14, T1N, R46E, MDM.**
8. Existing place of use **NW¼ of Section 14, T1N, R46E.**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **January 1 to December 31** of each year.
11. Description of proposed works **Well, pump and sprinkler distribution system.**
12. Estimated cost of works **\$25,000.00+/-**
13. Estimated time required to construct works **Three (3) Years**
14. Estimated time required to complete the application of water to beneficial use **Five (5) Years**
15. Remarks: **Refer to Permit No. 66948 for the Existing Point of Diversion and Place of Use. Carey Act Application**

By **Suzan L. Ferguson-Agent
s/ Suzan L. Ferguson
5405 Mae Anne Avenue
Reno, NV 89523**

Compared sc/sg lt/gkl

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This temporary permit to change the point of diversion and place of use of the waters of an underground source as heretofore granted under Permit 66948 is issued subject to the terms and conditions imposed in said Permit 66948 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

If any water under this permit is cancelled, withdrawn, or any water is not put to beneficial use, it will revert to the groundwater source and not back to the base water right.

Any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the ground water basin.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on October 3, 2007 at which time all rights herein granted shall revert to the right being changed by this temporary permit.

The total combined duty of water under Temporary Permits 74802T and 74609T shall not exceed 1280.0 acre-feet annually.

Permittee will measure water levels in the wells currently under Permits 43011, 43016, 65021, 63102, 63103, 73717 and Temporary Permits 74609T and 74802T. Any change of the wells to be measured must be noticed to this office in writing prior to the change.

Permittee will measure water levels prior to irrigation in the spring, at the mid point of irrigation, during the summer and at the end of irrigation in the fall. Any winter irrigation to be noticed to this office, in writing, prior to the change.

Permittee will submit an annual report of the water levels for said wells and pumpage data for wells operated by the permittee on or before January 31 for the prior year.

The reports are to be cumulative with historical data and will contain one (1) well per page with the seasonal water level measurement and monthly pumpage data.

The monitoring plan to be re-evaluated prior to the fourth year of irrigation.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 2.70 cubic feet per second, but not to exceed 640.0 acre-feet annually, and not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before:

N/A TEMPORARY

Proof of completion of work shall be filed before:

N/A TEMPORARY

Water must be placed to beneficial use on or before:

N/A TEMPORARY

Proof of the application of water to beneficial use shall be filed on or before:

N/A TEMPORARY

Map in support of proof of beneficial use shall be filed on or before:

N/A TEMPORARY

IN TESTIMONY WHEREOF, I, Tracy Taylor, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office, this

4th day of October, A.D. 2006

Tracy Taylor, P.E.
State Engineer